

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PAUL NIVARD BEATON,

Plaintiff,

v.

INTERNAL REVENUE SERVICE,

Defendant.

Case No. 1: 21-cv-01575-NONE-SAB

ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY CALIFORNIA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION AND DIRECTING CLERK
OF THE COURT TO ISSUE PRISONER NEW
CASE DOCUMENTS

(ECF No. 2)

Plaintiff Paul Nivard Beaton, a prisoner proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to Plaintiff's trust account. The California Department of Corrections and Rehabilitation is required to send to the Clerk of the Court payments from Plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2). Notwithstanding this order, the Court does not direct that service be undertaken until the Court screens the complaint in due course and issues its screening order.

1 In accordance with the above and good cause appearing therefore, IT IS HEREBY
2 ORDERED that:

- 3 1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 2) is GRANTED;
- 4 2. **The Director of the California Department of Corrections and Rehabilitation**
5 **or her designee shall collect payments from Plaintiff's prison trust account in**
6 **an amount equal to twenty per cent (20%) of the preceding month's income**
7 **credited to the Prisoner's trust account and shall forward those payments to**
8 **the Clerk of the Court each time the amount in the account exceeds \$10.00, in**
9 **accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been**
10 **collected and forwarded to the Clerk of the Court. The payments shall be**
11 **clearly identified by the name and number assigned to this action;**
- 12 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
13 Plaintiff's *in forma pauperis* application on the Director of the California
14 Department of Corrections and Rehabilitation, via the court's electronic case filing
15 system (CM/ECF);
- 16 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
17 Department, U.S. District Court, Eastern District of California, Sacramento
18 Division; and
- 19 5. The Clerk of the Court is directed to issue prisoner new case documents in this
20 action.

21 IT IS SO ORDERED.

22 Dated: **October 26, 2021**

23 
24 UNITED STATES MAGISTRATE JUDGE